

IN THE UNITED STATES DISTRICT COURT  
FOR MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

MARTHA SWANN,	)	
	)	
Plaintiff,	)	
	)	Case No.: 3:24-cv-00244-RAH-JTA
vs.	)	
	)	JURY DEMAND
EAST ALABAMA HEALTH CARE	)	
AUTHORITY, DBA EAST ALABAMA	)	<b>O P P O S E D</b>
MEDICAL CENTER,	)	
	)	
Defendant.	)	

PLAINTIFF'S AMENDMENT / ADDENDUM TO HER MOTION TO COMPEL

COMES NOW Plaintiff Martha Swann, by and through undersigned counsel of record, and files and serves this Amendment / Addendum to her Motion to Compel Certain Discovery (Doc. 19).

By this reference, Plaintiff respectfully reiterates her February 26, 2025, motion and request that the Court enter an order compelling Defendant East Alabama Medical Center (EAMC) fully and completely answer Plaintiff's Interrogatory 28 and produce documents in accordance with Plaintiff's Request for Production BB. In addition to the facts, law and argument set forth in her Motion to Compel, Plaintiff would show the following to the Court:

1. Plaintiff's February 26, 2025, Motion to Compel inadvertently neglected to note in the case caption that the motion was Opposed. Plaintiff Amends her original Motion (Doc. 19) to note that the motion is opposed. Evidence of Defendant's

opposition is found in this discovery dispute reaching an impasse, as declared by Defendant EAMC's attorney in his February 24, 2025, email to undersigned counsel. (Doc. 19-6). Plaintiff's counsel apologizes to the Court and opposing counsel for his oversight and failure to strictly comply with Court rules.

2. Any EAMC argument that the discovery requested by Plaintiff is “irrelevant,” “overly broad” or the like, is self-contradictory.

3. While Defendant EAMC has dug in its heels and refuses to provide certain information and documents (e.g., calendar/s, emails, notes, and the like) regarding Plaintiff's grievance and grievance hearing (its scheduling, the persons notified, correspondence between such persons and the like), during the discovery phase of this action EAMC has produced to Plaintiff the following un-requested documents:

- a. An EAMC executive's marriage certificate.
- b. An EAMC executive's record of a 2013 DUI conviction.
- c. An EAMC executive's divorce decree.
- d. An EAMC executive's record of a gender-related surgical procedure.

4. As with all documents produced by EAMC, those noted above were – certainly, and properly – marked “Confidential.”

5. Defendant may argue that the documents noted above were included in these executives' respective personnel records, subject to non-redacted production pursuant to various Plaintiff's document requests. Still, though, the larger point remains: (a) EAMC readily produced these intensely personal documents (and

fodder for a Motion in *Limine*, as irrelevant to Plaintiff's workplace discrimination and retaliation claims); while, **(b)**, it simultaneously argues that documents directly relating to Martha Swann and her January 2023, grievance hearing are “irrelevant.”

6. The mind boggles at EAMC's fluid and varied standards of what does and does not constitute objectionable, burdensome, or irrelevant information and documents.

Plaintiff respectfully re-submits her request that the Court enter an Order compelling Defendant fully and completely answer Interrogatory 28 and produce all documents related thereto (i.e., as requested under Request for Production BB), along with any other and further relief the Court may be inclined to grant.

Respectively filed and served on this, the 27<sup>th</sup> day of February, 2025.

*s/ Richard R. Newton*  
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CERTIFICATE OF SERVICE

This is to certify that on this, the 27th day of February, 2025, I served the foregoing Plaintiff's Amendment / Addendum to her Motion to Compel on Defendant EAMC by sending same by email to its attorneys of record via either the United States District Court's CM/ECF electronic filing system and/or their respective emails of record, to wit:

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*s/ Richard R. Newton*